MEMORANDUM

February 6, 2015

TO:

County Council

FROM:

Jeffrey L. Zyontz, Legislative Attorney

SUBJECT:

Public Hearing: Bill 3-15, Streets and Roads – Obstruction Signage

Bill 3-15, Streets and Roads – Obstruction Signage, sponsored by the Councilmembers Berliner, Navarro, Floreen and Elrich was introduced on January 20. A Transportation, Infrastructure, Energy and Environment Committee worksession is tentatively scheduled for March 18, 2015 at 2:00 p.m.

Bill 3-15 would require signage concerning a permit to obstruct a right-of-way. Currently pedestrians faced with a closed sidewalk have no easy way to determine how long the sidewalk will be closed and who to contact if they have any questions.

This packet contains:	<u>Circle #</u>
Bill 3-15	1
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3ill No3-15	_						
Concerning: Streets and Roads -	_						
Obstruction Signage							
Revised: <u>Jan. 6, 2015</u> Draft No. <u>1</u>	_						
ntroduced: January 20, 2015							
Expires: July 20, 2016							
Enacted:	_						
Executive:	_						
Effective:	_						
Sunset Date: None							
Ch. , Laws of Mont. Co.	.,						

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Berliner, Navarro, Floreen, and Elrich

AN ACT to:

(1) require signage concerning a permit to obstruct a right-of way; and

(2) generally amend the law concerning a permit to obstruct any public right-of-way.

By amending

Montgomery County Code Chapter 49, Streets and Roads Section 49-11

Boldface	Heading or defined term.
<u>Underlining</u>	Added to existing law by original bill.
[Single boldface brackets]	Deleted from existing law by original bill.
Double underlining	Added by amendment.
[[Double boldface brackets]]	Deleted from existing law or the bill by amendment.
* * *	Existing law unaffected by hill

The County Council for Montgomery County, Maryland approves the following Amendment:

1	Sec.	1 Sect	ion 49-11 is	amended a	as follows:				
2	49-1	1. Per	mit to obstr	uct public	rights-of-w	ay.	•		
3	*		*			*			
4	(g)	Befo	re the Dire	ector issues	a permit	under	this Section	to close a	
5			sidewalk, curb lane, or shared use path, the Director of Transportation						
6			must approve a temporary traffic control plan.						
7		<u>(1)</u>							
8			_			-	ablic, provide		
9			-			•	reasonable	•	
10							engineering s	•	
11		<u>(2)</u>	The perm	it and the	traffic con	<u>itrol</u> pla	n must requ	<u>iire signage</u>	
12			during co	nstruction	to, at least	inform	n pedestrians	s about the	
13			duration c	of the obstr	uction, the	permit	number, and	the permit	
14			holder's te	elephone nu	mber.				
15	*		*	•		*			
16	Approved:		•						
17									
	George Lever	nthal, Pr	esident, Coun	ty Council		·	Date		
18	Approved:								
19	*******								
	Isiah Leggett,	, County	Executive				Date		
20	This is a corre	ect copy	of Council ac	ction.					
21									
	Linda M. Lau	er, Cler	k of the Counc	eil			Date		

LEGISLATIVE REQUEST REPORT

Bill 3-15

Streets and Roads – Obstruction Signage

DESCRIPTION:

Permits that allow an obstruction in public right-of-way will be

required to post informational signs. These signs will be intended to

inform pedestrians about the obstruction and contact information.

PROBLEM:

Pedestrians face closed sidewalks without knowing the terms and

conditions of the closure or contact information for the party

responsible for the closure.

GOALS AND OBJECTIVES:

To provide information for pedestrians.

COORDINATION:

Department of Permitting Services, Department of Transportation

FISCAL IMPACT:

To be requested.

ECONOMIC

To be requested.

IMPACT:

To be requested.

EXPERIENCE

EVALUATION:

To be researched.

ELSEWHERE:

SOURCE OF INFORMATION:

Jeff Zyontz, Legislative Attorney, 240-777-7896

APPLICATION

WITHIN

MUNICIPALITIES:

Applies to all areas where County issues right-of-way obstruction

permits.

PENALTIES:

Revocation of a permit and a cease and desist order concerning the

obstruction.